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94th Congress }
2d Session }

COMMITTEE PRINT

REVOLUTIONARY ACTIVITIES WITHIN THE UNITED STATES

The American Indian Movement

REPORT

OF THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

NINETY-FOURTH CONGRESS

SECOND SESSION



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RESOLUTION

Resolved, by the Internal Security Subcommittee of the Senate Committee on the Judiciary, That the report entitled, "Revolutionary Activities Within the United States: The American Indian Movement" be printed and made available for the use of the Committee on the Judiciary.

JAMES O. EASTLAND, *Chairman.*

Approved September 7, 1976.

(II)

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THE AMERICAN INDIAN MOVEMENT

In opening the Subcommittee's investigation of the American Indian Movement, Senator James O. Eastland, Chairman of the Subcommittee, made the following observations:

"We are here today to receive testimony concerning the American Indian Movement. There is no question in the minds of the great majority of Americans that our Indian citizens have many legitimate grievances and that there is much that must be done to eliminate the inequities and improve the quality of their lives. Many people and organizations are working to bring about the needed reforms, including the various tribal councils, the American Indian Association, church groups which have a strong interest in the problem, and dedicated members of the Bureau of Indian Affairs who realize that our treatment of our Indian minority over the years leaves much to be desired.

"Several years ago there appeared on the scene a new organization, the American Indian Movement, which claimed to speak for the majority of the American Indians. It attracted a lot of public attention, primarily as a result of its violent occupation of the Bureau of Indian Affairs Building in Washington in the month of November 1972 and its occupation of the town of Wounded Knee, South Dakota for a period of 11 weeks beginning in February of 1973. In the case of the occupation of the Bureau of Indian Affairs, the American Indian Movement militants did \$2 million dollars worth of damage and made off with entire file cabinets of records--despite the fact that they had been given an assurance that there would be no prosecution and the participants would be given return fare to their reservations or home addresses. The occupation of Wounded Knee, similarly, resulted in major damage to buildings in the town as well as the death of two Indians and the wounding of three Federal agents.

"As a result of the extensive publicity the American Indian Movement received from these episodes, the public impression was that the American Indian Movement spoke for the masses of the Indian people. This, of course, is simply not true. The elected tribal councils speak for the masses of the Indian people - and the record is clear that the elected tribal councils look upon the American Indian Movement as a radical and subversive organization.

"The purpose of today's hearing is to try to establish whether there is, in fact, reason for believing that the American Indian Movement is a radical subversive organization rather than an organization committed to improving the lot of the American Indians. One of the questions that has to be answered is whether there are any demonstrable ties between the American Indian Movement and the various Communist movements that exist in our country."

SUMMARY OF FINDINGS

The evidence presented to the Subcommittee, which was supported by extensive documentation, established the following basic facts about the movement:

(1) The True Dimensions of AIM: The American Indian Movement does not speak for the American Indians. It is a minority movement which, at the most, numbers several thousand followers. It is noteworthy that its most spectacular and most publicized activities have never involved more than several hundred people.

(2) AIM as a Revolutionary Organization: It is a frankly revolutionary organization which is committed to violence, calls for the arming of American Indians, has cached explosives and illegally purchased arms, plans kidnappings, and whose opponents have been eliminated in the manner of the Mafia. Some of AIM's leaders and associates have visited Castro Cuba and/or openly consider themselves Marxist-Leninist.

(3) Foreign Ties: It has many foreign ties, direct and indirect - with Castro Cuba, with China, with the IRA, with the Palestine Liberation Organization, and with support organizations in various European countries.

(4) Domestic Extremist Ties: In the United States, it has maintained contact with and has received propaganda and other support from a large number of left extremist organizations, including the Weather Underground, the Communist Party, the Trotskyists, the Symbionese Liberation Army, the Black Panther Party, Youth Against War and Fascism, the Indo-China Solidarity Committee, the Prisoners Solidarity Committee, etc.

(5) AIM and the Media: AIM's commitment to spectacular actions has resulted in massive media coverage. This coverage, while not always uncritical, has generally been sympathetic - perhaps because of the widespread tendency to convert sympathy for the plight of Indian people into sympathy for AIM, without asking certain essential questions. The sheer mass of the media coverage, moreover, has served to foster a widespread impression - in government circles as well as among the general public - that AIM speaks for the great mass of the Indian people. Regrettably, with rare exceptions, the media have not sought to moderate this impression by seeking out the views of the tribal leaders and the other legitimate leaders of the American Indian peoples.

(6) Support from Federal, Church and Other Sources: Taking advantage of the massive public relations build-up they have received from the media, the American Indian Movement has been able to obtain many hundreds of thousands of dollars worth of support from various offices of the Federal government and from a variety of religious organizations, Catholic and Protestant. Threats and the physical occupation of buildings have also been used as instruments of suasion in promoting Federal and religious funding. AIM has also received substantial sums of money from business, from labor groups, and from private individuals.

(7) Financial Abuses: The bulk of the money given to AIM by the United States government and by the churches has been used to radicalize the Indians, to stage confrontations like the occupation of Wounded Knee and the

occupation of the Bureau of Indian Affairs in Washington, D. C., and to take care of the personal financial needs of the AIM leaders. Contrary to the representations of AIM in soliciting these funds, they have not been used, except to a very minor extent, to improve the lot of the American Indians.

In a postscript to his testimony, the witness informed the Subcommittee that, to his knowledge, AIM has never published a financial statement.

(8) The Undercutting of Legally Constituted Indian Authority: The supine attitude of government officials in dealing with manifestations like the occupation of the Bureau of Indian Affairs, the many hundreds of thousands of dollars they have lavished on AIM for social programs that were never implemented, and the deferential - indeed, almost obsequious - manner in which they have conducted their negotiations with representatives of AIM, have not only strengthened AIM enormously, but have also served to undercut the prestige and authority of the tribal chairmen and of the National Tribal Chairmen's Association. This was the subject of a bitter complaint to Secretary of the Interior, Roger Morton, from the National Tribal Chairmen's Association on November 12, 1973.

(9) The Case of Judge Nichol: Important testimony was given concerning the prejudicial attitude of Federal Judge Fred Nichol, who on September 19, 1974, dismissed the charges against American Indian Movement leaders Dennis Banks and Russell Means. In March 1975, the U.S. Attorney's office in Sioux Falls, South Dakota, had filed a strongly worded motion of prejudice against Judge Nichol, asking that he disqualify himself from the remaining Wounded Knee leadership trials. In the supporting affidavit, the U.S. attorney claimed that Judge Nichol often expressed respect for the people who were involved in the Wounded Knee takeover, and that during the trial he had attended a luncheon addressed by defense counsel William Kunstler and had led a standing ovation for Kunstler at the conclusion of his speech. The witness testified that in October 1973, Judge Nichol had driven Dennis Banks and his attorney to his residence, where Judge Nichol and Mrs. Nichol entertained the guests with coffee and cookies, and Mrs. Nichol was made an honorary member of the American Indian Movement.

THE WITNESS

The witness at this hearing, Mr. Douglas Durham, infiltrated the American Indian Movement under the instructions of the FBI, won the confidence of Dennis Banks and Russell Means and the other leaders of the movement, and occupied a series of high level positions in the organization. When Dennis Banks, after being indicted in connection with his role in the Wounded Knee events, went into hiding in Canada, Mr. Durham was instructed to come to Yellow Knife in the Canadian Northwest Territories, "to get a small plane and bring a lot of guns, ammunition, and money." An experienced pilot, Durham flew Banks all over the United States in rented planes - that were never paid for, according to the knowledge of the witness.

Describing his relationship with the American Indian Movement, Mr. Durham - a non-Indian who looks remarkably like an Indian - said the following:

"My membership in the American Indian Movement began in March 1973, after visiting Wounded Knee for 1 day as a photographer for a newspaper, 'Pax Today.' The trip to Wounded Knee was made with the knowledge and assistance of the Federal Bureau of Investigation and the Department of the Interior. Federal Bureau of Investigation agent, Larry Bastocky, asked me to become familiar with the Des Moines, Iowa, chapter of the American Indian Movement and, if possible, join it. I was a member of the American Indian Movement for approximately 2 years and achieved the titles of public relations director of the Des Moines, Iowa, chapter; assistant director of the Des Moines chapter; National AIM pilot; national security director; administrator of U.S. national offices of the American Indian Movement; personal bodyguard to Dennis Banks; international charge d'affaires. During my 2-year tenure with the American Indian Movement, I collected considerable information regarding its revolutionary activities, its financing, its association with other groups, its plans for the bicentennial, the operational goals of National AIM and the personalities and methods of operation of the national leaders of AIM. I organized and established the national office at 704 University in St. Paul, Minnesota and traveled around the United States

with national leaders of the American Indian Movement as a national figure."

Mr. Durham testified that, as a paid operative of the FBI, he received approximately \$20,000 over a two-year period, from March 1973 to March 1975 in expense money. The FBI has publicly acknowledged that Durham was a paid operative - and they have also stated that threats against Durham's life were made in the summer of 1975, based on his involvement with the American Indian Movement. Mr. Durham has since testified publicly on behalf of the Department of Justice, in a trial involving the leaders of AIM.

Mr. Durham was repeatedly and rigorously instructed by the FBI during the period of his association with AIM to avoid putting himself in the posture of transmitting any confidential information relating to the legal defense of the AIM leaders.

THE ORIGINS OF AIM

The American Indian Movement was launched in Minneapolis, Minnesota, in 1968 by Clyde Bellecourt, Dennis Banks, and George Mitchell, all Chippewa Indians from Minnesota. The witness confirmed AIM's claim that a catalyst to its formation was the inordinate number of Indian Americans in jail in the Minneapolis area - a number completely out of proportion to the number of Indians residing in the area. Initially, according to the witness, AIM concerned themselves primarily with the problem of getting Indians out of jail. As Mr. Durham put the matter: "They established an AIM patrol that attempted to reach the scenes of disturbances in Indian areas prior to the police, or at least at the same time the police arrived, to act as a mediator in negotiating the release on the scene of Indians being arrested by the Minneapolis police."

According to Mr. Durham, AIM "was involved in taking over the operation of the CCC program, funded by the OEO, in Minneapolis, Minnesota. The assistance of the Attorney Douglas Hall and the Reverend Dr. Paul Boe was used to gain the support within the CCC*program to operate the American Indian Movement. . ."

*CCC stands for Citizens' Community Center, a Minneapolis anti-poverty program set up in 1967.

A fact sheet distributed by AIM in early 1974 claimed that AIM had played a role in more than 150 demonstrations prior to November 1972. The first demonstration referred to was "a nationwide protest in 7 major cities in early 1970 against the BIA treatment of urban Indian people who leave the reservations under the Relocation Program, secured menial jobs in the city, and then abandoned them." The final paragraph in this leaflet describes AIM's relationship with other Indian groups and with the radical left. The paragraph reads:

"AIM stands to represent ALL Indians as a fact of Indian life in a free world.

"AIM is regarded as a radical leftist movement; however AIM's goals are to represent itself as a peaceful movement trying to get these things which have been promised to them. Historically it has been proven that the American Indian has been treated inhumanely and now, because of AIM's thrust for equality, the Indian is fighting for honor, ignored until Wounded Knee. AIM is now looked to for direction by Left and Third World groups. In the words of AIM leader Russell Means, 'AIM represents the only true revolutionary group, a sovereign people with a land base backed by treaties with the federal government. The Indian people have 24,000-40,000 years experience on the Western Hemisphere. We should be able to tell people with 250 years experience. . .'"

As Mr. Durham pointed out, the short range objectives publicized by AIM sound high-minded and reasonable. They call for a program to better the Indian housing situation; another program directed toward the Indian youth; a third program to encourage the employment of Indian Americans; a fourth program to educate industry in the area of Indian culture and its effect on the Indians; a fifth program to improve the communications between the Indian people and the community; and finally, a program to educate the Indian citizen in his responsibility to the community.

When he was asked whether in his association with AIM he had seen any of these objectives achieved, Mr. Durham replied:

"Not that I can recall . . . I saw quite the contrary. I saw the Indian housing program which was number one, stopped on the Wounded Knee Reservation when AIM took over Wounded Knee. The Indian youth . . . program . . . could be interpreted two ways. However, the Indian youth gathered together in a militant manner and talked about passing out rifles and revolution. The positive program for employment of Indian Americans is a definite farce. I heard Dennis Banks say that if you were employed, if you were striving for employment, you had no business being in AIM."

A confidential programmatic document distributed within AIM spoke more ambitiously about freeing "Indian people throughout the Americas from white man's oppression and racism, so as to create free Indian states that reflect self-determination of free peoples . . . " The document called for:

- "(a) dissolution of the BIA;
- (b) establishment of the free Indian congress;
- (c) re-establishment of reservation sovereignty and self-determination;
- (d) establish and conduct negotiations with all nations of the world for free trade and economic relations.

* * * * *

- (e) establishment of trade tariffs and interface with surrounding countries in the world."

The confidential AIM program also placed its major emphasis on the education of the very young and the establishment of AIM control over Indian schools. The program said under this heading:

"The major objective of the movement is to regain the young. Once the BIA is eliminated and individual tribal states are created, schools will not be a major problem. However, until such time

as this goal is realized, AIM must plan, support and execute the following school activities:

(1) Prepare and release to local AIM chapters a 'how-to manual' for founding Indian schools;

(2) Since most behavior characteristics are learned from the first 5 years, AIM should begin with pre-school elementary education programs;

* * * * *

(f) AIM national center to provide basic teaching aids such as reading, cultural materials and lore."

THE TURN TOWARD MAJOR VIOLENCE

Asked about the series of violent actions in which AIM has been involved over the past four years, Mr. Durham replied:

"Most obviously the leadership condones this type of action. During Wounded Knee, as an example of their violence, they hung a man from a cross to celebrate Easter Sunday.

"They had been involved in the destruction of Custer, South Dakota, where the courthouse was fire-bombed and the chamber of commerce was burned to the ground.

"At the Bureau of Indian Affairs, it was an extremely violent situation with clubs and threats.

"At Kenora, Ontario, Canada, there was shooting and threats of extreme violence.

"I recall, in Des Moines, Iowa, they attempted

and planned the kidnaping of Iowa Governor Robert Ray, which has to be a little violent.

"There was a murder in Los Angeles, California, in the fall of 1974 where a man was dragged from a cab in an AIM guerrilla camp in Box Canyon, scalped, dismembered, and stuffed down a drain pipe; and the reaction of AIM was, 'They should have shoved grass down the throat of that body.' There were very grisly and mean events that transpired since then; the assassination, or execution of the two FBI agents. Of those four indicted (in connection with the shooting of the FBI agents) I personally knew three to be members in the American Indian Movement."

In his testimony Mr. Durham elaborated on the violent actions and occupations in which the American Indian Movement has been involved.

The Seizure of the Bureau of Indian Affairs

Mr. Durham said that "a plethora of funds was established for the 'Trail of Broken Treaties' caravans to Washington, which culminated in the seizure of the Bureau of Indian Affairs in November of 1972. Despite the almost unbelievable destruction they wrought within the building, (the total cost to the government of this incident, including both the destruction and the cost of special police personnel and law enforcement officers, was estimated at two million dollars), Mr. Durham said "the White House gave the occupants a letter recommending no prosecution for the actions and \$66,000 in cash - approximately six times the bus fare home!" The Chairman, in his opening remarks, made reference to "entire file cabinets of records" which AIM removed from the Bureau of Indian Affairs - "despite the fact that they had been given an assurance that there would be no prosecution." File cabinets are highly visible items. They could not have been removed from the building without having been spotted by one or more of the numerous law enforcement officers concentrated in the area. The question therefore arises whether someone in authority had given the instruction that there was to be no police inter-

BIA BUILDING--OUTSIDE STEPS





BIA BUILDING--HALL

BIA BUILDING--HALL







BIA BUILDING--OFFICE



BIA BUILDING--FILE ROOM



MOLOTOV COCKTAILS

ference with members of AIM leaving the building, no matter what they carried with them. This is a mystery that can and should be cleared up.

Custer, South Dakota

A whole series of violent actions followed in the wake of the supine capitulation to AIM in its seizure of the Bureau of Indian Affairs.

The first of these actions was the AIM-organized rioting in Custer, South Dakota, on February 6, 1973. Describing this event and some of the things that happened in consequence of it, Mr. Durham said:

"The Chamber of Commerce building was burned to the ground; the court house was firebombed and numbers of people injured in the riot, including police officers.

"In the latter part of August 1973, Banks was indicted by the Custer County grand jury for his involvement in the riot of February 6. (Banks was already a fugitive in connection with his Wounded Knee indictment.) He and Ron Petite; Ron's wife, Cheryl; Dennis' wife, Kamook; Dennis' son by a previous wife, D. J. Junior; Ron Petite's infant child; Ray Slick; and Linda Thomas drove to Yellowknife in Northwest Territory in Canada. I was contacted by both Ron Petite and Dennis Banks, asking me to fly up north, provide them with money and a means of communication between their planned hideout and the officers and attorneys of the American Indian Movement. I was given written communiques by Banks ordering me to establish an underground railroad, ordering George Roberts in Los Angeles, California, to issue the press communiques over his signature, and other orders. I assisted in flying Dennis Banks to a remote island where he remained approximately 1 month. I was told to return to the United States and help in gathering his bond, which I did with the assistance of Reverend John P.

Adams, an important figure in the operation of AIM. In the early part of October 1973, I was called upon to return Dennis Banks to the United States, after having raised his bond. This was accomplished with a rented plane for which AIM later refused to pay the rental due.

"Dennis Banks was convicted in the summer of 1975 and failed to appear for sentencing August 5, 1975, becoming a fugitive from justice. During the time he was a fugitive, he was indicted by a Federal grand jury for a shootout allegedly occurring in Ontario, Oregon, where he and Leonard Peltier, another fugitive, was allegedly stopped. Banks was arrested January 24, 1976, in San Francisco and is there now fighting extradition. He was released on \$100,000 bond. The judge allowed 2 percent cash bond to be posted by actor Marlon Brando."

Wounded Knee

Hard on the heels of the incident at Custer, South Dakota, there took place what was probably AIM's most publicized action, the occupation of the village of Wounded Knee.

Mr. Durham was able to gain access to Wounded Knee as a photographer and correspondent for a small newspaper, Pax Today. After spending approximately five hours in Wounded Knee taking photographs, Durham returned to Des Moines, Iowa, submitted the pictures and the report to the FBI. The FBI then asked him to join the local Des Moines chapter of the American Indian Movement. This he did. Durham pointed out there was, at that time, considerable concern in the FBI regarding potential violent activities in which the Des Moines chapter of AIM might become engaged. Statements had reportedly been made regarding bombings, running guns, and other supplies into Wounded Knee by the Des Moines chapter chairman, Harvey Major.

Describing some of the highlights of the Wounded Knee occupation, Durham testified:

"The village of Wounded Knee on the Pine Ridge Reservation in South Dakota and the Nation's second largest reservation, was occupied on February 27, 1973, by members of the American Indian Movement - approximately 258 in total. Of the 258 AIM members and sympathizers occupying Wounded Knee, approximately half had been employees of social welfare programs financed primarily by government grants. Present during the Wounded Knee occupation were: Dr. Paul Boe and Reverend John Adams, as well as members of the foreign press, including Moscow. On Easter Sunday, during the occupation of Wounded Knee, AIM members hung a man from the cross in full view of marshals and some members of the press. For approximately 6 hours the body was pummeled by some of the occupants. During this time, churches had been defiled and the Reverend Ray McHue had been beaten and his ribs broken. The Reverend Lansbury and his wife spent the night in trenches outside of Wounded Knee with shots being fired over their heads. The Wounded Knee occupation lasted 71 days, after which Dennis Banks became a fugitive and did not appear publicly until his \$105,000 bond was obtained; \$85,000 of this bond came from the Iowa Methodist Conference. As a member of the American Indian Movement, I was present and somewhat involved in obtaining this bond money."

Durham said that of the 258 AIM members and sympathizers participating in the occupation, approximately 75% were Indian and probably 25% non-Indian. He identified Vietnam Veterans Against the War as one of the non-Indian groups participating in the occupation. One of the reasons given by the AIM occupiers for seizing the reservation, said Durham, was that they wanted to topple the elected government of tribal chairman, Richard Wilson. They were prepared to use force to do so. They were well-armed, with M-16's and AK-47's. "They had erected bunkers and were building Molotov cocktails, and dynamite bombs," said Durham. "They had also constructed what appeared to be a large anti-aircraft weapon that was really fake . . . even a child as young as, I was told, 12 years old, was running around with a rifle taunting the members of the press and attempting to intimidate them."

Durham identified the leaders of the Wounded Knee action as "Carter Augustus Camp, a Pawnee Indian from Oklahoma; Russell Charles Means, a part Sioux Indian from the Pine Ridge Reservation; Dennis James Banks, a Chippewa Indian from 'Leech Lake', Minnesota; Clyde Bellecourt, a Chippewa Indian from the White Earth Reservation; Pedro Bissonette, a Sioux Indian from the Pine Ridge Reservation."

As Mr. Durham pointed out, AIM admitted only a limited number of correspondents to Wounded Knee, and he himself had to pull a few strings in order to get himself admitted as a photographer. One of the correspondents accepted by the AIM directorate at Wounded Knee was Iona Andronov, of the New Times in Moscow. Andronov wrote several articles for New Times, (one of which is reprinted in the appendix to the record), making it clear that the Soviet Union sided with the occupiers of Wounded Knee against the United States government. Subsequently, Mr. Andronov sent a handwritten letter to the American Indian Movement (also reproduced in the appendix). The letter began with the words: "Dear friends, I hope to see you again and write a few articles for the Soviet press about your struggle." It concluded, "I believe in your success and victory. With best wishes, Iona I. Andronov."

Far more disturbing than the Soviet propaganda exploitation of the Wounded Knee incident - which was certainly something to be expected - is the fact that AIM's occupation of Wounded Knee was, for all practical purposes, financed by a series of grants of federal money. This was the subject of a carefully researched article in the Detroit News of March 25, 1973, which is worth quoting in full:

"Indian Revolt Financed by Government Grant

(By John E. Peterson)

Minneapolis - The Indian occupation of Wounded Knee, S.D., has been financed almost exclusively by federal money.

"The Indians who took over the small reservation town have depicted themselves as an oppressed minority group seeking to focus national attention on a long list of grievances.

"In point of fact, however, their actions appear to be the latest act in a play staged by a handful of militants and paid for by public money.

"An investigation by the Detroit News shows:

- More than half the 258 American Indian Movement members and sympathizers at Wounded Knee have been employes of social welfare agencies financed primarily by federal grants.

- AIM, far from being repressed by the Government, has been granted directly and indirectly more than \$400,000 in federal funds since its founding in 1968. The bulk of that money, federal investigators say, has been used in efforts to radicalize the American Indian, not improve his lot. AIM leaders, federal investigations reveal, spent huge amounts of federal funds to stage the takeover of the Bureau of Indian Affairs last fall and the current confrontation at Wounded Knee.

- Some leaders of AIM have histories of convictions for such crimes as burglary, strong-arm robberies and assaults.

- Fewer than 20 of the Indians who took over Wounded Knee are Oglala Sioux, the tribe on whose reservation the confrontation took place. And the tribal council - by 14-2 votes - repeatedly has asked the Federal Government to evict the AIM group.

Threat Works

'When AIM took over Wounded Knee, the Justice Department was all set to move in and make arrests,' a highly placed federal official said.

'But then AIM leaders threatened to call a press conference and disclose exactly how much financing they've had from the Government in recent months. That's when the Justice Department backed off and tried to play for standoff, hoping AIM would tire and leave voluntarily.

'What's happened is that AIM leaders have just dusted off and updated the old militant tactic of intimidating government officials until they come through with grants. So far, it's worked like a charm.'

'Last June 21, Government files show, AIM received a \$113,000 grant from the Office of Economic Opportunity.

'Of that amount, \$60,000 was for 'survival' schools in Minneapolis, St. Paul and Milwaukee to 'instill American Indian culture' in Indian children of grade school age. The other \$53,000 was for an Indian community center in Milwaukee.

'Early last fall, OEO investigators were sent to investigate numerous complaints from local education officials in all three cities.

Complaints Filed

'What was found was 'an almost total absence of any academic standards,' and 'a sustained effort to brainwash the students into hating all non-Indian Americans, black as well as white,' investigators said.

'AIM leaders, the report noted, refused to provide any audit information on how the \$113,000 had been spent.

'AIM leaders also received \$66,000 in 'transportation' money from the OEO as an inducement to leave the Bureau of Indian Affairs, which their followers systematically pillaged during a six-day takeover last fall in Washington.

'That was about six times the amount required to buy them all bus tickets back home,' said an OEO official, who said he disagreed with the decision. 'They were just handed the money in cash and no accounting was required.'

"An OEO grant for an additional \$67,000 - approved before the BIA takeover - was ordered frozen in a Minneapolis bank before AIM leaders arrived back from Washington.

Loan Finagled

"AIM leaders Clyde Bellecourt and Dennis J. Banks, both Chippewas, used the announcement of that grant's approval to persuade the Upper Midwest American Indian Center (UMAIC) in Minneapolis to lend them nearly \$30,000.

'We lent them the money only because they offered the \$67,000 grant as collateral, and we assumed they had it in their pockets,' said Mrs. Emily Peake, UMAIC's director, a Chippewa and a spokeswoman for most of the 22,000 American Indians living in the Twin Cities area.

'Of all the money AIM has conned out of the Federal Government, I'd be surprised if even a minute fraction ever trickled down to our people who really need it,' she said."

* * * * *

The Occupation of the First Church of the Open Bible and of the United Methodist Church Conference Head- Quarters in Des Moines

Some of the methods used by AIM to raise money from church organizations were described in detail by Mr. Durham.

One day in March 1973, Durham visited Harvey Major, head of the Des Moines AIM Movement at his home. Major, he said, was in his garage, painting signs saying, "AIM demands \$50,000 reparations from the Church of the Open Bible". He informed Durham that AIM was going to occupy the First Church of the Open Bible and demand this \$50,000 reparation within 24 hours. The church had been selected, he said, first because it was wealthy, and second, because it had given no money to AIM. Harvey had attended several church sessions, trying to obtain money from the church - but without success.

Several days prior to Easter Sunday, a small group of AIM members and supporters occupied the lawn of the First Church of the Open Bible, constructed tents, erected their signs demanding \$50,000 reparations, and refused to leave when asked by the police to do so. The leaders of the demonstration were Harvey Major and Aaron Two Elk. Durham, who took part in the occupation, estimated that there were no more than about 12 individuals involved, of whom only 3 or 4 were Indians. He said, however, that the papers were told that there were many more people inside the tents and that the press dutifully reported it in this manner.

Written demands for \$50,000 in reparations were then submitted to the officials of the church. The Reverend Frank Smith, one of the church's ministers, issued a statement refusing to meet the demands and saying he would not be blackmailed. He complained bitterly that officials of the Community Relations Service of the Department of Justice, who were then in Des Moines, had suggested that he accede to some of the demands.

Durham told the Subcommittee that the Community Relations official in question, a Mr. Jesse Taylor of Chicago, then went to other church officials in Des Moines and arranged a meeting between the heads, bishops and ministers of large churches in Des Moines and the occupants of the American Indian Movement campsite on the Open Bible Church grounds. This meeting was held several days later at the Young Women's Christian Association in Des Moines. As a result of this meeting, AIM received an initial grant of \$3,000 toward the establishment of an American Indian Development Center in Des Moines. The \$3,000 was to be a down payment on a proposal calling for an annual expenditure of \$36,000. In fact, funding was finally granted for several months.

Commenting on the proposals submitted and what was done to implement these proposals, Mr. Durham said:

"The proposals submitted to the various church leaders and authorities indicated a desire to create development centers for counseling, training Indians to become better able to cope with the non-Indian society in an urban area, when in fact I know of no one, absolutely no one who was counseled to cope with

the non-Indian society in the Des Moines, Iowa branch, other than to increase their hatred and mistrust of non-Indian people, blacks as well as whites. They were self-aggrandizing actions. The money was used to maintain the individual leaders in a manner far from that of a victim."

Mr. Durham made the point that as a result of the conference at the YWCA in Des Moines, the local Catholic charities program provided the office space for the newly established American Indian Development Center, but that most of the funding was provided by the Iowa Conference of United Methodist Church. He said that it appeared to him at the time that the Methodist representatives had acceded to this donation voluntarily, because of their desire to identify with what they apparently considered a civil rights problem.

Shortly after this incident, Mr. Ron Petite, a national officer of the American Indian Movement, arrived in Des Moines. Mr. Petite, a long-time friend of Dennis Banks, embarked on a dialogue with the Methodist churches in the Des Moines area which, according to Durham, "resulted in some very ill feelings." Durham said that on one occasion, Petite had engaged in "a screaming debate over the phone with a Dr. Baskerville, the assistant to Bishop Thomas. After this debate, Dr. Baskerville hung up the phone, walked out in the front yard, and died of a heart attack . . . " Durham, who was present when Petite engaged in his "screaming" argument with Dr. Baskerville, said that at one point Petite "threatened to come over and work him over because he was not providing enough money... At subsequent meetings held at Des Moines, Ron Petite issued threats and denouncements to many of the religious leaders in the Des Moines, Iowa area, and in some instances, one instance in particular, it appeared almost like a robbery. The door was guarded and the men, the officials representing the churches, were told they were not going to leave until they had contributed, out of their pockets, directly, to a fund.

"So, there was some coercion."

The goals of the American Indian Movement as a result of this experience became much more ambitious in terms of wheedling or coercing large sums of money from church organizations. In June of 1973, Durham attended a meeting in Ron Petite's apartment in Des Moines at which Petite said that the Methodist Church had not provided enough money for the American Indian Development Center and that AIM should therefore go to the Methodist Church - the church that is, that had provided the most money to date - and "create a scene". An annual confer-

ence was scheduled to take place at the Methodist Church headquarters. A few days prior to the conference, the American Indian Movement occupied the lawns around the headquarters, pitched their tents and erected their signs. They demanded \$85,000 in bond money for Dennis Banks, and they said they would not leave until this request was granted. The initial reaction of the church officials was to lock their doors against the demonstrators. However, after some militant representations from Harvey Major and Ron Petite, the building was left open for the use of the washroom facilities. Dr. M. Ellsworth Walker, Treasurer of the Iowa Annual Conference of the Methodist Church, then sent out the following letter to the members of the encampment:

"June 6, 1973

To the members of the Indian Encampment:

Although we did not issue you an engraved invitation, we welcome you to the area surrounding the United Methodist Headquarters building. Our facilities are your facilities.

Blessings on you all.

M. Ellsworth Walker"

This communication, which was delivered to the encampment within 20 minutes of the occupation, moved Ron Petite to say: "We've got them running, I know we'll get our money from them for Dennis Banks now."

The church began then to send out fried chicken and other meals to the demonstrators.

Before the conference was over, the United Methodist Church voted to advance \$85,000 in bond money for Dennis Banks.

The Occupation of the Grimes State Office Building

The occupation of the Grimes State Office building in Des Moines on August 22, 1973, was in reality a compromise, engineered by Doug Durham, as an alternative to Ron Petite's proposal that they kidnap the Governor of the State of Iowa, Robert D. Ray. Mr. Durham told the story in these words:

"Ron Petite had become increasingly upset due to the lack of funding that was submitted by the churches. He advocated bombing a church on the south side of Des Moines. He had had some confrontations with the Governor of the State of Iowa, Robert D. Ray, and had advocated kidnapping the Governor to create sympathy for his demands. He had had a public confrontation with the Governor at the State fair grounds in Des Moines, Iowa, and it was carried in the papers, showing the Governor with an excessive number of State highway patrolmen as bodyguards because of the threats he had received from Mr. Petite.

"One night Ron Petite called Harvey Major and myself over to his apartment at 253 Franklin and said the next morning we are going to kidnap the Governor and hold him right in his office at the State capitol.

"And he said, 'Doug, you are going to lead it', and he said, 'I'll be in Newton, Iowa, at the River View Prison Release Center, and after you have the Governor kidnaped you will call me.' I knew that nobody would go along with this, so, the only other choice I had at the instant was to convince him that it would be counterproductive, and instead to hold an armed press conference in the Grimes State Office Building, occupying the superintendent of public instruction's office. He finally relented, and it was agreed the next day what we would seize and empty the Grimes State Office Building, and hold an armed press conference, and forego the plan for kidnaping the Governor."

Durham explained that by "armed press conference" he meant a conference in which the American Indian Movement participants would present themselves with loaded weapons and bullets and say they were prepared to die for the occupation of the building until their demands were met - this, in order to portray to the public an armed occupation that, by its very nature, would result in more press coverage for AIM.

The Grimes State Office Building is a two-story building having two wings, with approximately 15,000 to 20,000 square feet on each floor. It is located in downtown Des Moines, near the Capitol. At approximately 11:00 a.m. on August 22, 1973, ten AIM members bearing arms, among them Doug Durham,

occupied the Grimes State Office Building and ordered people out of it. A set of 12 demands to Governor Ray, dealing largely with prison conditions, were given to the press. The demands were immediately transmitted to Governor Ray, who responded in a letter, "stating that some of them were ridiculous, some of them were more reasonable and had been met prior to demands being made, and that they were working on other programs along these lines."

Three hours after the occupation began, it was all over, and the 10 armed occupiers had all submitted peacefully to the arrest. Mr. Durham told the Subcommittee that the decision to submit to arrest was a collective decision, made after being approached by Captain E. J. Dickinson, of the Iowa state patrol, who told the demonstrators that if they would not submit to arrest, the police would come in to get them. As Durham told the story -

"I called for a rollcall vote, and twice received indications that they would not give up. I went back into conference with them and expressed the opinion to them that we did not have the operational advantage, and that we had obtained our goals.

"I was a little concerned at that point. They finally agreed to submit to arrest, and we all were arrested and released on bond within hours afterwards."

Dennis Banks, who was in South Dakota when the occupation commenced, immediately boarded a plane for Des Moines. He arrived after the occupation was ended and the 10 arrested AIM members had been bonded out. When he met Doug Durham, he said to him, "Good job, Doug. Great job. You put us on the map here. You proved you can pick up that rifle. You are a leader."

A few days after his arrival, Dennis Banks had a meeting with Governor Ray, arranged by Ron Petite. Durham, who was present for part of the meeting, said that its true purpose -

"was to create the impression that Dennis Banks was the peace-bringing mediator who would solve these types of problems, if needed, in any future situations. It was a program and plan that I saw used and employed by Banks throughout the rest of my tenure with the American Indian Movement. The newspapers portrayed Banks then as the peacemaker, a reasonable, peace-loving man."

Banks apparently guaranteed that there would be no violent actions or seizures. The Governor, for his part, indicated that he would work with AIM as much as possible. As Mr. Durham put it, "it set Dennis Banks up as a state recognized mediator in Indian problems, with much adulation by the press."

The Seizure of Anishinabe Park

In the early summer of 1974, AIM jumped the American-Canadian border to stage a spectacular seizure of Anishinabe Park in Kenora, Ontario, and later to occupy a government building and stage a riot on the stairs of the Canadian parliament in Ottawa, Canada.

The trial of Dennis Banks and Russell Means for their involvement in the Wounded Knee occupation began in January 1974 and dragged on for a number of months. While the trial was still going on, Dennis Banks traveled to Kenora, Ontario to meet with Louis Cameron, another member of the American Indian Movement in that area. Two weeks after Banks had traveled to Ontario, Anishinabe Park in Kenora was seized by a group calling themselves the Ojibway Warriors Society. The Society was, in reality, mostly members of the American Indian Movement - some, in fact, were Wounded Knee veterans. The Ojibway Warriors Society claimed that the park should have been returned to them under the benefits of Treaty 3 of 1873, that it was their property and was taken illegally, and by way of reinforcing their demand, they began to build Molotov cocktails in a very demonstrative manner.

The occupation was attended by members of the Communist Party of Canada, Marxist-Leninist, including the leader of the CPC, Vern Harper. The CPC openly boasted in a statement to the Toronto Globe and Mail that they had been involved in the occupation and had helped to fund it.*

*The Communist Party of Canada, Marxist-Leninist, is a Maoist organization - one of the stronger Maoist organizations in the Western world - whose members openly wear Mao buttons. It is not to be confused with the Communist Party of Canada, which follows the Moscow line. In his testimony, Mr. Durham, on page 65, spoke of the Communist Party of Canada, Marxist-Leninist. However, on page 7 he referred to it simply as the Communist Party of Canada. In the interest of accuracy, the correction is made here.

As Mr. Durham put the matter, the Anishinabe occupation was another one of those instances where Banks initiated actions - and then arranged to be called upon to act as a mediator in achieving a peaceful settlement.

Dennis Banks, accompanied by Doug Durham, were summoned to Kenora by the Crown Attorney of Canada, Mr. Ted Burton, to mediate or negotiate a peaceful settlement with the Ojibway Warriors Society. As Mr. Durham observed, "in reality, this was AIM negotiating with AIM." Mr. Burton provided transportation from the international border to Kenora in a government aircraft and paid Banks and Durham \$928.00 for their help. This included food for the warriors in the park.

An agreement was reached that the arms would be turned over to responsible government authorities and that there would be negotiations concerning the problem of the transfer of title. Mr. Durham related that during the negotiation in Kenora with government officials, he had nudged Banks and whispered to him, "Dennis, what are you going to do about the guns? You're not going to hand them over?" In reply, Banks had given Durham a handwritten note reading, "The arms will be hidden and kept inside the park." (This handwritten note is reproduced in the appendix to the record.) The weapons were, accordingly, buried, together with the bulk of the Molotov cocktails. "Approximately four old rusty rifles and shotguns were turned over in front of the press," said Durham, "and I received the honor of throwing in approximately 3 or 4 of at least 30 Molotov cocktails that had been assembled in the park. Two days previously the press had pictured Indians assembling a large number of Molotov cocktails, and yet were willing to accept the fact that there were only three of them when I destroyed them for the press." Similarly, a handful of weapons, rusty and inoperable, were placed in a blanket and were surrendered ceremoniously - while the bulk of the weapons were buried in the park.

At a point where negotiations were concluded, the principals in the occupation decided to organize a caravan and move to Ottawa, the capital city of Canada. There they occupied a government building and staged a riot on the steps of Parliament. Officials of the Communist Party of Canada, Marxist-Leninist, were present at both the occupation and the riot. Durham informed the Subcommittee that he was present during the occupation of the building in Ottawa and that he "met with members of the Canadian Mounted Police and Ottawa Police in an attempt to establish better communications between the occupants of the government building and law enforcement officials so as to help prevent any recurrence of violence."

Apparently some of the members of the Canadian AIM were disturbed by the adverse publicity resulting from the open identification of the Communist Party of Canada, Marxist-Leninist, with AIM's actions. Mr. Durham testified:

"Mr. Ed Bernstein, the national director of Canadian AIM, issued a statement deploring any identification of Communist Party causes with the Indian causes. He said, 'We deplore any identification of Indian causes with the Communists.' This was in the summer of 1974 and in response to some dissension from the Indian people because of the presence of the Communist Party of Canada. Less than a year later, as evidence in the May 25 issue of the Berkeley Barb, Ed Bernstein met with the Provisional Revolutionary Government of Vietnam to celebrate their common victory over imperialism and the United States Government."

AIM and the Arming of American Indians

AIM members had repeatedly borne arms - and sometimes used them - in their demonstrations and occupations.

In a statement issued in August 1973, AIM official Ron Petite urged Indians across the nation to take up arms, and to carry them at all times. The statement was covered in the following item which appeared in the Des Moines Tribune of August 28, 1973:

"Petite Urges Indians to Carry Arms

An official of the militant American Indian Movement (AIM) here has urged Indians across the nation to take up arms.

Saying he was instructed to speak on AIM's behalf, Ron Petite of Des Moines called on American Indians to bear firearms 'at all times to protect ourselves and our families.'

Petite, AIM's Midwest national field director, spoke to newsmen only hours after the wounding of AIM leader Clyde Bellecourt in a shooting on the Rosebud Indian Reservation in South Dakota.

Petite disclaimed reports that Carter Camp, AIM's president, allegedly shot Bellecourt during a meeting on the Sioux reservation.

Camp was arrested Monday night in Valentine, Neb., and charged with assault with a deadly weapon on an Indian reservation. The same charge was filed against Camp's brother, Craig, and Leroy Cassodes. They were being sought.

'Blaming the shooting on Carter Camp is a conspiracy by outside sources to kill two birds with one stone,' Petite said.

* * *

Petite said he received authorization by telephone from Banks to speak for AIM and to urge Indians to carry weapons. Under questioning, Petite failed to offer specifics about the call to arms."

Durham testified that a "social understanding" grant of \$6,250 had been used to illegally purchase a quantity of high-powered semi-automatic rifles, some of them of Czechoslovak manufacture. These weapons, he said, had been purchased on the West Coast of Canada by AIM member Nogeessich Aquash, carried across Canada by sympathetic groups, and then smuggled across the border near Benton Harbor. Durham said that he had personally seen some 15 of the rifles purchased in Dennis Banks' apartment in Magnolia Court, East St. Paul, that they were then moved to someone else's apartment in St. Paul, "and later, supposedly, used at the occupation of the Alexian Brothers Novitiate in Gresham, Wisconsin."

Mr. Durham also described in detail, with supporting documents, AIM's plans for an underground railroad for transporting weapons and supplies across the country, into Canada, and various places in the United States.

The confidential AIM programatic documents Durham submitted for the record carried these suggestions:

"RAILROAD OPERATIONS

As AIM matures the need for a realistic 'railroad' system will come more to the fore. Until such time as the reservations revert to sovereign states, there will be increasing difficulty for Indian warriors to freely move in the execution of their appointed tasks. To alleviate this problem it is suggested that each AIM chapter of 20 or more members maintain a 'safe place' (sp).

* * *

In order to effect movements of material and peoples at minimum risk, it is suggested that chapters meet visitors halfway between the nearest chapter that the visitors are coming from. In that way 'long haul' out-of-state vehicles etc. will not be observed, thus lowering visibility of movement."

Mr. Durham also submitted for the record a handwritten instruction from Dennis Banks dealing with the question of the railroad. The instruction read:

"George Roberts, Doug Durham. It will be the combined responsibilities of both of you to maintain the railroad. You will assume certain risk responsibility that may endanger your life. Under no circumstances are you allowed to transmit information to uncleared personnel. Clearance will be granted only by D. J. Banks and Ron Petite. Personnel that you clear must be cleared jointly by Ron and myself. This pertains to whereabouts. To bring personnel without clearance will constitute a violation of our trust."

Durham told the Subcommittee that George Roberts had actually done most of the work in the establishment of the underground railroad, but that he (Durham) had also participated in this operation in a minor degree. Later, he said, when the railroad was established, he was provided with names and places to hide out. He named specifically the Reverend Martin L. Deppe of Chicago, Illinois, who is associated with the Alliance to End Repression. He said that he had visited Reverend Deppe in his church, and that Reverend Deppe personally offered to hide him if he was ever running from the government.

Plans Against the Alaska Pipeline

In December 1973, Dennis Banks prepared and gave to the press a statement attacking the plans for the Alaska Pipeline and threatening action "that could make Wounded Knee look like a boy scout picnic." Among other things, the press release said:

". . . AIM is considering the adoption of the following plans:

A. To physically stop the planned aggression in Indian country.

B. To encourage Indian tribes to resist, by arms if necessary, all attempts to further disposses them of sovereign titles.

C. To appeal to the Arab states for financial assistance to aid this defense."

The witness said that it is his understanding that Dennis Banks had subsequently denied on several occasions that he had ever made such statements. However, Mr. Durham testified, he had sat with Dennis Banks while he wrote the press release, using Durham's pad for the purpose. He submitted for the record the full text of the original release in Dennis Banks' handwriting.

AIM'S INTERNATIONAL CONTACTS

Durham described AIM's extensive international contacts. He said that AIM had funding through groups in England, France, Germany, Ireland, and South America, and that AIM had held an international treaty convention in Aberdeen, South Dakota, in the summer of 1974, which was attended by representatives from many foreign countries. "The idea," said Durham, "was to get all the treaty issues taken out of the hands of the United States and put here before the World Court or the United Nations.

He said that he knew as a fact that representatives of the Irish Republican Army committee had met with AIM during the trial in St. Paul and that at a later date, Sean O'Connaith, one of the IRA leaders, had invited the AIM leaders to Dublin.

He also testified that Dennis Banks, after his return from a meeting sponsored by the World Council of Churches in Vienna in the fall of 1974, had reported to him that he had met with officials of the Palestine Liberation Organization and they had offered their support to him. Durham named a Mr. George Roberts, owner of the Inca Manufacturing Company in Santa Monica, California, as one of the principal vehicles for AIM's international contacts. He said that he had first met with Roberts after returning to the United States from his meeting with Dennis Banks in Yellowknife, Canadian Northwest Territories, in September of 1973. Roberts, a non-Indian, indicated to Durham that he had traveled to Wounded Knee during the occupation and had become friendly with Dennis Banks there, and that he had offered to utilize his contacts with embassies around the world to build the American Indian Movement's credibility internationally.

When he was asked whether he had any reason to believe that Mr. Roberts actually had contacts with embassies around the world, Durham replied:

"I sat in his house while he called Dr. Faustino Perez, in Mexico City and the other embassies, and spoke in various tongues to these other embassies. He seemed on a first name basis with embassy personnel, people from the Irish Republican Army, Mexico, Cuba, Germany, East Germany, and various other parts of the world."

He said the purpose of Roberts' call to Dr. Faustino Perez was to explore the possibility of arranging for Dennis Banks to go into hiding in Cuba.

Durham testified that Dennis Banks had advised him, orally and in writing, that there would be a meeting with representatives of the Peoples Republic of China in Ottawa, Canada, during the last week of September, and that Banks wanted George Roberts, Durham, Russell Means, and John Trudell to go to this meeting. Durham said that he personally had not been able to attend the meeting because it had been postponed, and by the time it took place, Dennis Banks and he were in the southern United States. It was his understanding that George Roberts and John Trudell had attended it; and he said that he had heard the conversations had to do with some measure of technical and financial support from the Peoples Republic of China for AIM.

SUPPORT FROM EXTREMIST DOMESTIC GROUPS

Mr. Durham summarized in the following words the support which AIM has received from a broad array of extremist domestic organizations, many of which have international connections:

"The Weather Underground published a full-page ad in the back of their Osawatomie, fall 1975 issue, stating 'support the Indian resistance.' The Irish Republican Army, as mentioned earlier, met with the leaders of AIM during the trial in St. Paul. Banks claimed to have met with the Palestine Liberation Organization. The Iranian Student Association has demonstrated on AIM's behalf and they do have a history of violence. The Revolutionary Student Brigade had demonstrated on AIM's behalf as have the Puerto

Rican Solidarity Committee and Puerto Rican groups hosted by Fidel Castro in Cuba in 1975. The Militant* has written many articles supportive of AIM and revolution, and they are a strong defender of AIM's 'rights.' The New World Liberation Front has bombed some buildings in support of AIM's actions, two houses in Piedmont, Calif., were firebombed in this reaction. The Symbionese Liberation Army did name AIM as one of the five groups to distribute their 'People in Need' program money in 1974. The large amount of support contributed by the National Lawyers Guild, a group that seems to condone violence, is also indicative of the type of groups supporting AIM."

When he was asked whether AIM readily accepted such support and encouragement, Mr. Durham replied that in some instances, this support is accepted cheerfully but that AIM was not too happy about SLA naming them in 1974 as one of the five groups to distribute the food contributed to them as part of the Patty Hearst ransom.

AIM also received support from a number of American labor organizations. Durham testified that Ernest DeMaio, of the United Electrical and Radio and Machine Workers of America, had invited one of the defendants to address his organization and had pledged funds and support. He said that in a telephone conversation DeMaio had invited Mark Banks, Dennis' brother, and Durham to address the meeting as alternate speakers, and they had done so. It is noteworthy that Ernest DeMaio has repeatedly been identified in sworn testimony before Congressional committees as a member of the Communist Party, U.S.A., and that he serves today as representative of the Moscow-dominated World Federation of Trade Unions at the United Nations.

The AFL-CIO in Minnesota, at its 17th Constitutional Convention, passed a resolution on September 25, 1974, which fully supported AIM and criticized the police and the courts. Durham testified that Paula Giesa, a non-Indian who worked

*The Militant is the organ of the Socialist Workers' Party, the American Trotskyite organization.

for the AIM national office, and who openly told him [Durham] that she was a Trotskyite, claimed that she had authored the main points of this resolution.

AIM'S MYSTERIOUS FINANCES

It was Mr. Durham's estimate that during the two years he was with AIM, AIM received far in excess of one million dollars from various sources - governmental, church, and private.

The Senate Subcommittee on Internal Security is currently attempting to piece together a comprehensive statement covering all federal funds given to AIM, but because of the complete absence of records, it is virtually impossible to come up with an accurate aggregate figure for the contributions received by AIM from all sources, private as well as governmental, or of how these funds were dispersed.

The article from the Detroit News of March 25, 1973, which was quoted in the section on the Wounded Knee uprising, reported that as of that date, AIM had received from government sources, directly and indirectly, more than \$400,000 in federal funds. This included a single \$113,000 grant from the Office of Economic Opportunity on June 21, 1972, for which AIM leaders had refused to provide any audit information. It also included the \$66,000 in "transportation" from the OEO, as an inducement to AIM to vacate the premises of the Bureau of Indian Affairs.

As for church support for AIM, an article which appeared in the Omaha World Herald on March 14, 1973, reported that as of that date, three national church organizations had given a total of \$284,000 to various AIM programs. This article is worth quoting briefly, because it represents one of the few efforts to date to bring together in one place the facts about religious contributions to the American Indian Movement:

"THREE CHURCHES FURNISH \$284,000 FOR AIM

Three national church organizations have given a total of \$284,000 to programs involving the militant American Indian Movement (AIM) in the last two years, a World-Herald check showed.

The total doesn't include contributions state or local church groups may have made to AIM.

Nor does it include the \$20,000 four

denominations gave to last year's 'trial of broken treaties' caravan, which involved AIM and other Indian groups.

None of the money was given for activities promoting violence, church officials said.

Lutherans apparently are the biggest church financial backers of AIM, which led the takeover of Wounded Knee, S.D., and has been involved in incidents at Fort Robinson, Gordon and Scottsbluff, Neb., Custer, S.D., Washington, D.C., and elsewhere, the check showed.

Lutherans gave about \$238,000 to AIM in 1971 and 1972 through the National Indian Lutheran Board, a national church spokesman said.

FOR YOUTH PROGRAM

The money went to Indian self-help programs in different states and included \$1,500 to a youth program in Lincoln, a spokesman said.

The U.S. Catholic Conference said in Washington it gave \$40,000 last August to an AIM-related school 'to meet special education needs of disenfranchised native American youth' in Minneapolis.

The World Council of Churches recently gave AIM \$6,000, a spokesman said in a telephone interview from New York City.

National offices of five other major denominations - United Methodist, Presbyterians, Episcopalian, Baptist and United Church of Christ - said in New York City that they haven't helped finance AIM. The National Council of Churches in New York also said it hasn't given money to AIM.

The national offices said that local churches and state conferences spend for projects of their own choosing, and some may have assisted AIM. Reports of such spending aren't given to national offices,

spokesmen said."

In referring to this article, Mr. Durham made the point that the total of \$284,000 did not include the \$85,000 (in bond money) for Dennis Banks put up by the Methodist Church or \$500,000 voted by the National Council of Churches in the summer of 1973. (Mr. Durham subsequently informed the Subcommittee that, to his knowledge, not all of the \$500,000 has actually been turned over to AIM.)

In August 1973, roughly at the time that Ron Petite issued his call to arms to the Indian people, he told Doug Durham that he had been asked to submit a request for funds from the Office of Economic Opportunity to assist in finding employment for Indians in the Des Moines area. The request was submitted; OEO made a grant in the amount of \$4,060; and then, according to Durham's testimony, Ron Petite and his wife absconded with it. Mr. Durham submitted photostats of 26 checks for the record, which together completely depleted the grant from the Office of Economic Opportunity. None of these checks, he said, had to do with the operation of the employment program. The total of the checks came to \$4,058.21 - against the deposit of \$4,060.

Mr. Durham mentioned several other sources of income. For example, Dennis Banks and Russell Means received \$25,000 from Columbia Studios for their advice on the script of a film about Wounded Knee. This, testified Durham, had been at the instigation of Marlon Brando. He said that Brando himself had been a generous contributor to the American Indian Movement, and that he had in September of 1974, given him a \$10,000 check and a handful of money out of his pocket for AIM. In addition, Brando had provided \$25,000 during the Wounded Knee occupation and contributed substantial property on the West Coast to AIM. He had provided funds for Russell Means and Dennis Banks.

Food Stamps

Mr. Durham testified that for a long period of time, Dennis Banks was drawing approximately \$300 a month worth of food stamps, despite the fact that he owned approximately \$15,000 in trust property in northern Minnesota, according to a statement he had made to the Los Angeles Times, and despite a fairly substantial income from his participation in the Native American Speakers Bureau. Durham said that not only did Banks draw the food stamps from the St. Paul offices but he sometimes sent Durham down to the food stamp office to pick them up for him. He submitted in evidence a copy of Dennis Banks' food stamp card, bearing the name of Douglas

Durham as the authorized alternative recipient. At one point, he said, "the food stamp office in St. Paul moved for one week into the national offices of the American Indian Movement, and signed up everybody they could find for food stamps." Sometimes the food stamps were sold to others at a discount, and the proceeds were used to purchase arms for the members of AIM.

THE CASE OF JUDGE NICHOL

The sworn testimony of Mr. Durham adds important new evidence to the items listed in the affidavit filed by the U.S. attorney's office in Sioux Falls, South Dakota, in March 1975, asking federal judge Fred Nichol to disqualify himself from the remaining Wounded Knee leadership trials. The events leading up to the motion of prejudice and the contents of the affidavit filed in support were described in the following words in an article which appeared in the March 4, 1975, issue of the St. Paul Pioneer Press:

"U.S. FIGHTING NICHOL ROLE IN TRIALS

(By Jim George)

The U.S. Attorney's office in Sioux Falls, S.D., has filed a strongly worded motion of prejudice against Federal Judge Fred Nichol asking the jurist to disqualify himself from the remaining Wounded Knee leadership trials.

Nichol last September dismissed charges here against American Indian Movement (AIM) leaders Dennis Banks and Russell Means after the government refused to allow a verdict from 11 jurors. (The 12th had become ill.)

Nichol, in a scathing commentary on the U.S. Justice Department, chastised the government for exercising this right and for improper government conduct during the lengthy trial.

In affidavits accompanying the motion, R. D. Hurd, chief prosecutor here at the trial, and David Gienapp, his aide, cite a list of incidents to back their claim of prejudice against the government.

The motion asked the judge to remove himself from the coming cases of Stanley Holder, Carter Camp, Leonard Crow Dog and Clyde Bellecourt because he has 'personal bias or prejudice against the plaintiff (the government).'

The motion added that from prior conduct, the judge's impartiality might be questioned.

In their affidavits, Hurd and Gienapp claim Nichol often expressed respect for the people involved in the 71-day takeover of Wounded Knee, S.D., in February of 1973 and sympathy for what they were trying to accomplish.

They noted that at a luncheon during the trial here, Nichol led a standing ovation for William Kunstler and later commented he 'didn't give a damn what people said' about it.

Nichol's contempt for the FBI was lightly masked during the trial, and the affidavits recall out-of-court distaste by the judge.

Nichol, according to the affidavits, made no secret he thought the FBI had **greatly** deteriorated in recent years and singled out Joseph Trimbach, head of the FBI's Twin Cities office, for special contempt.

Out of court, the affidavits say, Nichol referred to Trimbach as 'a liar' and 'that god-damned Trimbach.'

And at one point in April 1974, according to Gienapp's affidavit, Nichol said that, if the government didn't dismiss charges against Banks and Means, 'the FBI is going to be bloodied all over the courtroom.'

Gienapp, in his statement, attests that the prosecution considered that a threat by the judge.

The affidavits claim Nichol expressed the opinion out of court that Trimbach had lied before and would again if it helped the FBI.

At another point, the jurist expressed the opinion that the Justice Department was more interested in convictions than it was in justice, the affidavits claim.



Nichol's dismissal of charges against Means and Banks has been appealed to the 8th U.S. Circuit Court of Appeals, and arguments on the matter will be heard March 12 in St. Louis."

Durham testified that in October 1973 he was called to a meeting in Minneapolis by Dennis Banks after a man named Pedro Bissonett, the leader of the Oglala-Sioux Civil Rights Organization, was killed in the Pine Ridge Reservation.

Mr. Bissonett had been a fugitive and was shot allegedly while resisting arrest. Present at the meeting were Reverend John Adams of the United Methodist Church; Dennis Banks; and leaders of the American Indian Movement from around the country. Leonard Crow Dog reported to the meeting that he and Russell Means and Dennis Banks had been restrained from entering the Pine Ridge Reservation for the funeral by a tribal order signed by tribal judge Tibbett, of the Pine Ridge Reservation. This order was to be appealed at a hearing in front of Federal Judge Fred Nichol of Sioux Falls, South Dakota. So Durham and Banks and the others drove to Sioux Falls for the hearing. The outcome of the hearing was that Russell Means was allowed to enter the reservation but that Dennis Banks was still restrained from doing so.

Mr. Durham then gave the following eyewitness testimony concerning events involving Judge Nichol, Mrs. Nichol, Dennis Banks and his attorney, which occurred in October of 1973:

"Immediately after the hearing Dennis Banks came to me and asked me to go around back to the car and follow he and Judge Nichol to Judge Nichol's home, as he had been invited there by Judge Nichol to meet his wife. I asked him what the occasion was and he said, 'It's because Mrs. Nichol is a fan of mine.'"

I waited in back in the car, and Judge Nichol drove by in his car with Dennis Banks and his attorney in the front seat, and Dennis Banks' wife Kaamook in the back seat. We went to Judge Nichol's home, where we were entertained with coffee and cookies, and shown Mrs. Nichol's artifacts.

At this time, after some conversation, Judge Nichol informed us that he had decided to grant the motion to move the trial for Banks and Means to St. Paul, Minn., the change of venue motion.

* * *

Dennis Banks asked me to get a blank membership card of the American Indian Movement out of my pocket. I removed one - such as this - from my pocket. I will submit to the subcommittee a sample of the type of card.

Dennis Banks made one out for Mrs. Nichol, and across the upper right-hand corner wrote, 'Honorary Member', and presented it to her.

* * *

In fairness, I would like to add that Mrs. Nichol did not ask for the membership card, but she did not refuse it either. She accepted it and placed her arm around the judge's waist and said, 'Don't worry, boys, if Fred gets too stuffy in the courtroom, I'll be there to keep him in line.'

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